



CRL OP(MD) No.4918 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.4918 of 2024

M.AKILAN

... PETITIONER / ACCUSED NO.4

Vs

THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION,
MADURAI CITY.
CR.NO.108/2024

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.BASKARAN.C, Advocate

For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor

For Intervenor : MR.I.SRIHALISURIYA, Advocate

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

PRAYER:

FOR BAIL IN CRIME NO. 108/2024 ON THE FILE OF THE RESPONDENT
POLICE.

ORDER : The Court Made the following order :-



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The petitioner/A4, who was arrested and remanded to judicial custody on 15.02.2024 for the offence punishable under Sections 341 and 302 IPC @ Sections 147, 148, 341 and 302 IPC in Crime No.108 of 2024 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the accused Nos.1 and 2 were the employees of the deceased Sakthivel, who was running a Rice Mill and they borrowed a sum of Rs.70,000/- from the deceased and paid only Rs.20,000/- and when the deceased demanded the balance amount from the accused Nos.1 and 2, a wordy altercation took place between them. In order to wreck vengeance the deceased, the accused Nos.1 and 2 engaged the petitioner and the other accused person to murder the deceased, and they attacked the deceased brutally with weapons, due to which, he died. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that based on the confession statement of the accused No.2, the petitioner was falsely implicated in this case and the petitioner is in judicial custody from 15.02.2024. Hence, he prays for grant of bail to the

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petitioner.
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4. The learned counsel appearing for the intervenor submits that the defacto complainant is the wife of the deceased and they were blessed with three children. The accused persons belong to dominant community in that locality and the family members of the accused persons are threatening the defacto complainant to withdraw the complaint given by her and the same was reported to the respondent Police. If the accused persons are enlarged on bail, there will be a danger to the life of the defacto complainant.

5. The learned Additional Public Prosecutor appearing for the respondent Police would submit that the accused persons and their family members are threatening the defacto complainant to withdraw the complaint and the allegation made against the petitioner is serious in nature. Hence, he vehemently opposed for grant of bail to the petitioner.

6. It appears that the accused Nos.1 and 2 borrowed money from the deceased and when the deceased asked the amount, a wordy altercation arose between them

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and the accused persons engaged the petitioner and the other accused persons to murder the deceased and they attacked the deceased brutally with weapons, due to which, he died. Besides the family members of the accused persons are threatening the defacto complainant, who is the wife of the deceased, to withdraw the complaint given by her. If the accused persons are enlarged on bail, there will be a danger to the life of the defacto complainant. Considering the facts and circumstances of the case and the serious allegations levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

sd/-
28/03/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

- 1 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, MADURAI CITY.
- 2 THE SUPERINTENDENT
CENTRAL JAIL, MADURAI.



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3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.BASKARAN, Advocate (SR-4070[I] dated 02/04/2024)

ORDER
IN

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Date :28/03/2024

PKP/JGB/SAR /05.04.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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